

REMARKS

Claims 2 and 5-21 are pending in this application. Claims 6, 11, 13, 18, 19, and 20 are independent. Claim 22 has been canceled without prejudice or disclaimer to the subject matter included therein. Based upon the amendments and remarks included herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the present invention. These amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

By this amendment, Applicants have amended claims 11 and 13 to clarify that the storing device stores data of a plurality of composition assist frames wherein the storing device stores more than one composition assist frame associated with each of widthwise direction and a lengthwise direction of the camera; and the direction determining device determines whether the digital camera is held in the widthwise direction or the lengthwise direction. The Examiner indicated in the Reasons for Allowance that the prior art does not teach or suggest "a plurality of composition assist frames are extracted per selected shooting mode or per determined camera direction and b) a single composition assist frame is selected from among the plurality of extracted composition assist frames." It is respectfully submitted that as claims 11 and 13, as amended, recite a plurality of composition assist frames are extracted per determined camera direction and b) a single composition assist frame is selected from among the plurality of extracted composition assist frames, indicated as being allowable subject matter by the Examiner, that claims 11 and 13, as amended, remain patentable.

In the outstanding Official Action, the Examiner rejected claims 2, 18, 21, and 22 under 35 U.S.C. §102(e) as being anticipated by *Windle* (USP 6,606,117); and rejected claims 5, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over *Windle* in view of *Silverbrook* (USP 6,597,817). Applicants respectfully traverse these rejections.

Applicants wish to thank the Examiner for indicating that claims 6-17 are allowed.

Examiner Interview

Applicants wish to thank the Examiner for the telephone conference in January, 2007. The amendments made to claims 18-20 are made in accordance with the telephone conference with the Examiner. Applicants respectfully submit that claims 18-20, as amended, include the allowable subject matter identified in the Examiner's reasons for allowing claims 6-17. As such, claims 18-20 are in proper condition for allowance.

Conclusion

Based upon the amendments made herein, Applicants respectfully submit that the application is in proper form for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: **MAR 28 2007**

Respectfully submitted,

#40,439

By

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants